

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS**

In re: FRANCO, FRANK J
FRANCO, DAWN J

§ Case No. 08-10566

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Debtors

TRUSTEE'S FINAL REPORT (TFR)

The undersigned trustee hereby makes this Final Report and states as follows:

1. The debtor filed a petition under Chapter 7 of the United States Bankruptcy Code on April 28, 2008. The undersigned trustee was appointed on April 28, 2008.
2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized the gross receipts of \$ 566,811.45

Funds were disbursed in the following amounts:

Administrative expenses	<u>66,904.58</u>
Payments to creditors	<u>390,000.00</u>
Non-estate funds paid to 3rd Parties	<u>0.00</u>
Exemptions paid to the debtor	<u>0.00</u>
Leaving a balance on hand of	\$ <u>109,906.87</u>

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing claims in this case was 03/24/2009. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$31,589.89. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$0.00 as interim compensation and now requests the sum of \$31,589.89, for a total compensation of \$31,589.89. In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00 and now requests reimbursement for expenses of \$1,294.91, for total expenses of \$1,294.91.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 11/11/2009 By: /s/JOSEPH R. VOILAND
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

Form 1

Individual Estate Property Record and Report

Asset Cases

Case Number: 08-10566

Trustee: (330380) JOSEPH R. VOILAND

Case Name: FRANCO, FRANK J
FRANCO, DAWN J

Filed (f) or Converted (c): 04/28/08 (f)

§341(a) Meeting Date: 06/02/08

Period Ending: 11/11/09

Claims Bar Date: 03/24/09

1		2	3	4	5	6
Asset Description (Scheduled And Unscheduled (u) Property)		Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property <u>Abandoned</u> OA=\$554(a) DA=\$554(c)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #						
1	real estate - 1740 Kingsgate, Crystal Lake, IL	399,000.00	4,189.00	DA	0.00	FA
2	56 East End, Gilberts, IL	500,000.00	335,000.00		510,000.00	FA
3	checking acct. - Citibank	0.00	0.00	DA	0.00	FA
4	savings acct. - Harris Bank	650.00	0.00	DA	0.00	FA
5	household goods	1,730.00	0.00	DA	0.00	FA
6	misc. books and pictures	15.00	0.00	DA	0.00	FA
7	wearing apparel	200.00	0.00	DA	0.00	FA
8	jewelry	300.00	0.00	DA	0.00	FA
9	pension	63,000.00	0.00	DA	0.00	FA
10	100% interest in 4 Seasons Heating and Cooling	0.00	0.00	DA	0.00	FA
11	2003 Newman/Dutch Motorhome	80,000.00	0.00	DA	0.00	FA
12	2004 Chevrolet Silverado	5,000.00	0.00	DA	0.00	FA
13	2004 Honda dirtbike	1,500.00	0.00	DA	0.00	FA
14	computer	50.00	0.00	DA	0.00	FA
15	equipment and tools	2,000.00	0.00	DA	0.00	FA
16	adv proc - turnover of assets (u)	Unknown	55,000.00		55,000.00	FA
Int	INTEREST (u)	Unknown	N/A		61.45	Unknown
17	Assets Totals (Excluding unknown values)	\$1,053,445.00	\$394,189.00		\$565,061.45	\$0.00

Major Activities Affecting Case Closing:

The Trustee has filed an objection to debtors' discharge.

Initial Projected Date Of Final Report (TFR): October 15, 2009

Current Projected Date Of Final Report (TFR): October 15, 2009

Form 2

Cash Receipts And Disbursements Record

Case Number: 08-10566

Case Name: FRANCO, FRANK J
FRANCO, DAWN J

Taxpayer ID #: 35-6799719

Period Ending: 11/11/09

Trustee: JOSEPH R. VOILAND (330380)

Bank Name: JPMORGAN CHASE BANK, N.A.

Account: ***-*****26-65 - Money Market Account

Blanket Bond: \$50,000,000.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
12/17/08	{2}	Joan L. Ness	earnest money deposit for 56 E. End, Gilberts, IL	1110-000	10,000.00		10,000.00
12/31/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.13		10,000.13
01/10/09		Ticor Title Insurance	proceeds from sale of 56 East End, Gilberts, IL		434,928.12		444,928.25
	{2}		gross proceeds of sale 500,000.00	1110-000			444,928.25
			brokers' fees -30,000.00	3510-000			444,928.25
			title fees, cleanup costs, etc. -14,000.00	2500-000			444,928.25
			real estate taxes -11,071.88	2820-000			444,928.25
			credit for earnest money deposit -10,000.00	2500-000			444,928.25
01/30/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	11.05		444,939.30
02/27/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	16.94		444,956.24
03/03/09	1001	Bank of America	payment for settlement of secured lien per Court order of 2/19/2009	4110-000		375,000.00	69,956.24
03/31/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	9.16		69,965.40
04/16/09	1002	FRANK G. FRANCO and ELEANOR E. FRANCO	lien payment per order of court entered 4/16/2009	4110-000		15,000.00	54,965.40
04/30/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	2.81		54,968.21
05/29/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	2.16		54,970.37
06/30/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	2.39		54,972.76
07/19/09	{16}	Harris / Darlene Ringa	settlement proceeds	1229-000	55,000.00		109,972.76
07/31/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	3.06		109,975.82
08/07/09		Shaw Gussis Fishman Glantz et. al.	settlement proceeds	1241-000	1,750.00		111,725.82
08/31/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	4.68		111,730.50
09/30/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	4.55		111,735.05
10/14/09	1003	Realle Realty, Inc.	reimbursement for winterization, relocking, cleanup, etc.	2420-000		1,832.70	109,902.35
10/30/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	4.52		109,906.87

ACCOUNT TOTALS	501,739.57	391,832.70	\$109,906.87
Less: Bank Transfers	0.00	0.00	
Subtotal	501,739.57	391,832.70	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	\$501,739.57	\$391,832.70	

Form 2

Cash Receipts And Disbursements Record

Case Number: 08-10566

Case Name: FRANCO, FRANK J
FRANCO, DAWN J

Taxpayer ID #: 35-6799719

Period Ending: 11/11/09

Trustee: JOSEPH R. VOILAND (330380)

Bank Name: JPMORGAN CHASE BANK, N.A.

Account: ***-*****26-65 - Money Market Account

Blanket Bond: \$50,000,000.00 (per case limit)

Separate Bond: N/A

1	2	3	4		5	6	7
Trans. Date	{Ref #} / Check #	Paid To / Received From	Description of Transaction	T-Code	Receipts \$	Disbursements \$	Money Market Account Balance

	Net Receipts	Net Disbursements	Account Balances
TOTAL - ALL ACCOUNTS			
MMA # ***-*****26-65	501,739.57	391,832.70	109,906.87
	<u>\$501,739.57</u>	<u>\$391,832.70</u>	<u>\$109,906.87</u>

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 08-10566
Case Name: FRANCO, FRANK J
Trustee Name: JOSEPH R. VOILAND

Claims of secured creditors will be paid as follows:

<i>Claimant</i>	<i>Proposed Payment</i>
N/A	

Applications for chapter 7 fees and administrative expenses have been filed as follows:

<i>Reason/Applicant</i>	<i>Fees</i>	<i>Expenses</i>
<i>Trustee</i> <u>JOSEPH R. VOILAND</u>	\$ <u>31,589.89</u>	\$ <u>1,294.91</u>
<i>Attorney for trustee</i> <u>Joseph R. Voiland</u>	\$ <u>10,413.50</u>	\$ <u>46.28</u>
<i>Appraiser</i> _____	\$ _____	\$ _____
<i>Auctioneer</i> _____	\$ _____	\$ _____
<i>Accountant</i> _____	\$ _____	\$ _____
<i>Special Attorney for trustee</i> _____	\$ _____	\$ _____
<i>Charges,</i> <u>U.S. Bankruptcy Court</u>	\$ <u>750.00</u>	\$ _____
<i>Fees,</i> <u>United States Trustee</u>	\$ _____	\$ _____
<i>Other</i> _____	\$ _____	\$ _____

Applications for prior chapter fees and administrative expenses have been filed as follows:

<i>Reason/Applicant</i>	<i>Fees</i>	<i>Expenses</i>
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Attorney for debtor _____ \$ _____ \$ _____
Attorney for _____ \$ _____ \$ _____
Accountant for _____ \$ _____ \$ _____
Appraiser for _____ \$ _____ \$ _____
Other _____ \$ _____ \$ _____

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$48,861.27 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
<u>26P</u>	Plumbers Local Union No. 93 UA Health and Welfare	\$ <u>24,637.03</u>	\$ <u>24,637.03</u>
<u>27P</u>	Plumbers Local Union No. 93 UA Ret. Acct. Fund	\$ <u>9,725.10</u>	\$ <u>9,725.10</u>
<u>28P</u>	Plumbers Local Union No. 93 UA	\$ <u>3,139.25</u>	\$ <u>3,139.25</u>
<u>29P</u>	Plumbers Local Union No. 93 UA Pension Fund	\$ <u>9,725.10</u>	\$ <u>9,725.10</u>
<u>30P</u>	The Industry Advancement Fund	\$ <u>521.99</u>	\$ <u>521.99</u>
<u>31P</u>	Joint Apprenticeship Committee Fund of the Plumbin	\$ <u>1,112.80</u>	\$ <u>1,112.80</u>

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 3,246,531.78 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 0.5 percent.

Timely allowed general (unsecured) claims are as follows:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
<u>7</u>	Discover Bank/DFS Services LLC	\$ <u>6,203.26</u>	\$ <u>32.39</u>
<u>8</u>	Temperature Equipment Corp.	\$ <u>835,240.01</u>	\$ <u>4,359.85</u>
<u>9</u>	Chase Bank USA NA	\$ <u>4,070.05</u>	\$ <u>21.25</u>
<u>10</u>	Chase Bank USA NA	\$ <u>27,142.37</u>	\$ <u>141.68</u>
<u>11</u>	Chase Bank USA NA	\$ <u>298.33</u>	\$ <u>1.56</u>
<u>12</u>	Capitol Indemnity Corp.	\$ <u>45,000.00</u>	\$ <u>234.89</u>
<u>13</u>	Amalgamated Bank	\$ <u>16,777.45</u>	\$ <u>87.58</u>
<u>19</u>	U.S. Bank N.A.	\$ <u>2,379.91</u>	\$ <u>12.42</u>
<u>20</u>	Nucomfort Supply, Inc.	\$ <u>110,231.83</u>	\$ <u>575.40</u>
<u>21</u>	FIA CARD SERVICES, NA/BANK OF AMERICA	\$ <u>21,878.10</u>	\$ <u>114.20</u>
<u>22</u>	FIA CARD SERVICES, NA/BANK OF AMERICA	\$ <u>15,523.88</u>	\$ <u>81.03</u>
<u>23</u>	Financial Management Services, Inc.	\$ <u>61,437.56</u>	\$ <u>320.70</u>
<u>24</u>	Fifth Third Bank	\$ <u>5,888.16</u>	\$ <u>30.74</u>
<u>25</u>	Control'd Engineering Supply Co.	\$ <u>4,251.93</u>	\$ <u>22.19</u>
<u>26 -2</u>	Plumbers Local Union No. 93 UA Health and Welfare	\$ <u>141,639.86</u>	\$ <u>739.34</u>
<u>27 -2</u>	Plumbers Local Union No. 93 UA Ret. Acct. Fund	\$ <u>49,840.75</u>	\$ <u>260.16</u>
<u>28S</u>	Plumbers Local Union No. 93 UA	\$ <u>12,882.78</u>	\$ <u>67.25</u>
<u>28U</u>	Plumbers Local Union No. 93 UA	\$ <u>2,657.80</u>	\$ <u>13.87</u>
<u>29S</u>	Plumbers Local Union No. 93 UA Pension Fund	\$ <u>48,740.24</u>	\$ <u>254.42</u>
<u>29U</u>	Plumbers Local Union No. 93 UA Pension Fund	\$ <u>10,974.16</u>	\$ <u>57.28</u>

<u>30S</u>	<u>The Industry Advancement Fund</u>	\$ <u>2,928.65</u>	\$ <u>15.29</u>
<u>30U</u>	<u>The Industry Advancement Fund</u>	\$ <u>605.94</u>	\$ <u>3.16</u>
<u>31S</u>	<u>Joint Apprenticeship Committee Fund of the Plumbin</u>	\$ <u>5,062.30</u>	\$ <u>26.42</u>
<u>31U</u>	<u>Joint Apprenticeship Committee Fund of the Plumbin</u>	\$ <u>1,220.46</u>	\$ <u>6.37</u>
<u>32</u>	<u>Lori Wyatt</u>	\$ <u>5,000.00</u>	\$ <u>26.10</u>
<u>33</u>	<u>Bank of America</u>	\$ <u>1,808,656.00</u>	\$ <u>9,440.96</u>

Late filed general (unsecured) claims are as follows:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
N/A			

Subordinated unsecured claims for fines, penalties, and forfeitures are as follows:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
N/A			

The amount of surplus returned to the debtor after payment of all claims and interest is \$0.00.